

Report on Visit to District Jail, Indore by Dr Vinod Aggarwal Special Rapporteur on 1st February, 2018.

Format of Jail report is in continuation of report. The jail was built in 1839 by the Royalty of Holkars. The capacity of the jail is Male: 404, females:76; total 480, but at present it houses, Male: 934 Female: 122 Total : 1056 + 07 Children, who are living in this jail. More than double the capacity is the present occupancy of the jail. The remand inmates who are in the jail : male: 346; females: 29, total :375. Session inmates are male: 410, female: 34, total 444. In total 819 under trials are in the jail. The freedom fighters who were lodged in the jail are: Sarva Sree Rameshwar Khedmal , Ramniwas Govindram, Nathu Lal Aaanandilal, Chotelal Gupta, Babulal bherulal. As there are 2 Jails in the same town, the majority of under-trials are kept in this jail with few convicts. The costly land of more than 20 acres is available to develop the jail.

Recommendation after the visit , Discussion with Jail Suptd, and inmates are as follows.

1. The jail is very old and completed almost 180 years after establishment. Although by look looked, that can be used for another 20-30 years, but it would be desirable that the usability certificate for earthquake or other type of natural or other disasters may be examined and may be used till the economics of the Government improves and a new jail is built. As such now the jail has come in almost centre of the Indore city and can be used for much more valuable purposes and a new central jail can be built 15-20 Km away from the main town at 1/10th cost, where modern design and facility could be given to the jail and inmates may have a comfortable life
2. The jail is meant to house only 480 prisoners but at present almost double the capacity 1058 inmates are kept in this jail. There is definite over-crowding in various wards. There is definite case for shifting or building a bigger.
3. Although Jail campus is spread over 20 acres, but the new jail housing 2000 can be built as much less the cost of land and bit away from the population. At present the jail is almost in the city itself.

4. Large no of inmates who are going through the trial are working but as there is no industrial unit at all this jail. Only few of inmates could be employed which are helping in cooking, cleaning and other routine activities and up-keep of the jail. The wage given to the inmates is also quite low and wages as per BPRD norms paid. Employment to all those who want to work should be provided.
5. The jail should have a 50 bed hospital, but in actual there is no hospital. A part time doctor comes for some time a day. A lady doctor also visits the jail twice a week. This jail requires a hospital which is missing completely.
6. The Kitchen definitely requires up-gradation, in the form of Provision of Chimney, Automatic door closure, Impermeable walls, wire mesh in the windows, Fly catcher in the kitchen, dough making and chapatti making machines, along with modern platform are the immediate need.
7. The no. of cage latrines are in sufficient, seeing the number in inmates in each ward or barrack, but creation as per norms would not be easily possible.
8. Out of 761 prisoners who are under-trials,

Period	Male	Female
upto 3 months	180	12
3-6 months	204	14
6-12 months	179	14
1-2 years	136	11
2-3 years	44	8
3-5 years	14	4
about 5years	4	

- 9 There were 4 who were imprisoned more than 5 years. These are the cases should be reviewed by the visitors and these cases should be decided fast by the judiciary, as it is said justice delayed is justice denied.
- 10 One major complaint, by the inmates of the prison, was that, the outside food and fruits etc. have been dis-allowed by the Jail Authorities. The jail Superintendent, showed me an order issued by Jail Head quarters after Bhopal Jail- break of 30/11/16.on 09/12/2016 which clearly mentions that food articles brought by family members, relatives and other persons coming to meet a prisoner have been disallowed and food article don't reach the inmates through such sources. But this issue could have been resolved by providing milk and fruits on payment to the inmates who are in position to pay or Govt. should rethink.

- 11 The posts of Sociologist, social worker, Psychologist are the need of hour in the jails. Besides the creation of positions of the supervisors in the production of various items they will impart training to the inmates.

Dr Vinod Aggarwal
Special Rapporteur

INSPECTION FORMAT

1	Name of the prison	District jail indore (M.P)				
2	Sanctioned capacity of the prisons Actual Capacity	Male: 0404 Female :0076 Total : 0480 Male: 0934 Female: 0122 Total : 1056 + 07 Child				
3	Prisoners porfile	As on 01.02.2018 Annexure (A) Enclosed herewith				
3.1	Actual strength of the prisoners.	s	Details	Male	Female	Total
		(A) 1	Undertrials (Remand inmates)	755	63	818
		2	Sessional trial (session inmates)	410	34	444
		3	upper Division			
		4	POTA	0	0	0
			Total (a)			
		(B)	Simple imprisonment	02	0	02
		2	Rigorous imprisonment	0	0	0
			Death sentence	0	01	01
			Total (B)			
		(c)	N.S.A	0	0	0
		2	N.D.P.S	60	05	65
			Total (C)	60	05	065
			Grand total (a) (b) (c0	816	69	885
			Children (with mother)	04	03	07

3.2 The details of the prisoners including undergoing life imprisonment and under death sentence Male -0 and Female-47 Total inmates persently serving imprisonment for life01 .

3.3 Daily average strength of the previous month 1058

4 Accommodation

Area of the jail 20.27 Acre

Age of the buildings 1839

Status of building -to what extent. Freedom fighter are detain in district jail indore.

The provisions of model prison manual have been complied with in terms of location away from congested location of various blocks-at a prescribed distance of various blocks at a prescribed distance from the perimeter wall, seperate from the permeter wall. Seperate enclosures for the female waed etc.

Freedom fighter are detain in district jail indore.

1. Babulal bherulal
2. Rameshwar Khedmal
3. Ramniwas Govindram
4. Nathu lal Aaanandilal
5. Chotelal Gupta

keeping the principles of safety and security uppermost in mind?

Yes

Problem of seepage ,leakage etc.

No

Lighting and Ventillation.

Well

institutional arrangements for repairs and maintenance

Yes PWD dept.

Number of wards/Barracks

07/226

Number of special cells

No

	Any other provisions	No				
4.1	Arrangement of seperation of -	Yes				
	Under trials	Yes				
	young prisoners	Yes				
	women prisoners	Yes				
	Mentally sick prisoners	No				
	Drug addicts	No				
	suffering from infectious disease like TB etc	Yes (isolation.ward nil)				
5	Staff	ANNEXUR				

	E (C)ENCLO SED						
Sectioned strength (in various categories)	serial No.	Post	Sanctioned	posting	vacancy	Remarks	
	1	Superintendent	01	01	0		
Actual strength (in various categories)	2	Deputy Superintendent	01	01	01		
Adequacy of otherwise of sanctioned and available staff	3	Resident Medical officer cum Superintendent	01	00	01	One paramedi cal staff is required of the line	
Steps taken fill up the vacancies	4	Specialist medical officer	01	0	01	Part time	
	5	Medical officer	0	0	0		
Terms and conditions of service and employment of all categories of personnel keeping the service and		Medical officer (or contract basis whole time)	0	0	0		
	6	Pathologist	0	0	0		

		7	Jailor (chief controller)	01	0	0	
	Has any objective and dispassionate assessment of the service condition vis- a-vis operational efficiency been made if so, what are the findings and what corrective measures have been taken	8	Assistant jailor (controller & Asst controller)	03	02	01	
		9	Video conferencing operator	01	01	0	
		10	computer operator	0	0	0	
		11	clerk (upper division)	0	0	01	

			clerk)				
		12	lower division clerk cashier junior Accountant	0 01	0 0	0 0	
		13	Chief head warder	0	0	0	
		14	Head warder	08	05	03	
		15	Warder	43	24	07	
		16	Female warder	0	0	12	
		17	Nurse (Male)	03	02	01	
		18	Nurse (Female)	0	0	0	
		19	Pharmacist	0	0	0	
		20	X- Ray technician /Radiographer(grade- i)	0	0	0	

			X-Ray technician /Radiographer(Grade- ii)	0	0	0	
		21	Compounder	0	0	0	
		22	Tailor master	0	0	0	
		23	Weaving master	01	01	0	
		24	Blacksmith master	0	0	0	
		25	Carpentry master	0	0	0	
		26	Barber	0	0	0	
		27	Sweeper	02	02	0	
		28	Driver	01	0	0	
		29	Dresser	0	0	0	
		30	Nursing orderly	0	0	0	
		31	generator operator	0	0	0	
			TOTAL				
5.1	Human Resource Development						
	Institutional arrangements for training of officers and staff in various categories.	Yes (BPRND,NORONA ACADMY AND JAIL HEAD QUATERS.					
	Duration of training of each category	Different for different programmes					

Arrangements of the content quality and impact of training on correctional behaviour inside and on rehabilitation of the convicts	Additional content training is required to some extent (Not available as of today)
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	after release need for further strengthening		
6	Right of prisoners:		
6.1	Right to speedy trial		
	No. of utps lodged in prison	N.A	
	What is the average duration for which they have been lodged in prison	N.A	
	What are the contributory factors to delay in disposal of cases of utp's?	Delay in the trial process	
	Specific suggestions to reduce this duration.	speed up the trial process	
6.2	Right to be released on bail		
	No of petitions pending in the trial court for disposal	N.A	
	No of case where prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection	N.A	

	No. of cases where the prisoners are unable to arrange sureties	02	
	No. of cases where the bail amount is high. What are the specific suggestions to improve the situation and register expeditious disposal of pending bail applications.	N.A	
6.3	Rights of the convict to appeal		
	No. of cases where appeal petitions are pending in the high court	N.A	
	No of years for which these petitions are pending contributory factor specific suggestions for expeditious disposal	N.A	
6.4	Rights of convicts for premature release /Remission	Nil	
	What is the composition of the state sentence review board	1.Home Secretary (chairman), 2. Secretary judicial department of Madhya Pradesh (convenor) Secretary, department of correctional administration of MP, 4. DG & IG	

		of police M.P (member), 5. Inspector general of correctional services, (Member Secretary),	
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	no. of case pending for review	Data not available	
	During for which they are pending & reasons for pendency specific suggestions to expedite disposal	Data not available	
	procedure followed as per guideline of NHRC and sec 433 CrPc	Yes	
	Whether meeting ss R board is held mention dates	N.A	
6.5	Right to food		
	scales of diet for various categories of prisoners	Annexure (d) enclosed Herewith	
	storage of articles	General godown	
	Arrangement of cooking and distribution of food	LPG cooking system in general kitchen + Distribution By the prisoner	
	Mean and mode of preparation of food	LPG cooking system in general kitchen	Under supervision of warders & officers
	Menu of food provided to the inmates procurement of eatables etc.		
	Does the kitchen have the following		
	i. A modern chimney regarding of the type of fuel used	NO	
	ii. Sufficient no. of exhaust fans	Yes	
	iii. Fly proof automatic closing doors	No	
	iv. Floors made of an impermeable material	Yes	
	v. A platform for washing, cleaning and cutting vegetables	Yes	
	vi. An electric kneader for preparing paste out Atta prior to making chapattis	Yes	
	vii. Chapatti making machines/mixers and grinders	No	

	viii. Adequate no. of taps	Yes	
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	inside the kitchen		
	ix. LPG and hotplates	Yes	
	x. Container made of stainless steel to keep the cooked food hot prior to being served	No	
	Xi. cooking and serving utensils to be of stainless steel	Yes	
6.6	Right to water		
	Whether sufficient, clean and purified drinking water is supplied in the jail source of water.	Yes Supplied by the Indore municipal corporation & Through jail Boring system, Filters system are being used	
	whether periodical cleaning of water storage tanks are done	Yes	
	whether sufficient water supply is provided in toilets and for bathing and cleaning of clothes purpose.	Yes	
	General cleaning around source of water	Yes	
6.7	Right to sanitation		
	Does every barrack used for sleeping have sufficient no. of W.C.s urinals, and washing places at the ratio of 1 unit for every 10 prisoners	No	
	Are the latrines of sanitary type with arrangements for flushing	No	

	Is it ensured that toilets are places on in impermeable basis higher than the surrounding ground and are so built that the suns rays can easily enter the latrines and that rainwater is kept out	YES	
	Is it ensured that the latrins are so designed that all excrets and wash materials get into receptacles without fouling the sites.	Yes	
	have the inside walls of the latrine been fitted with glazed ceramic tiles upto a height of 1 meter from the floor level as far as possible	Yes	
6.8	Right to personal hygiene		
	Does the prison provide covered cubicles for bathing @ one for every 10	No	

	prisoners with proper arrangement to ensure privacy		
	Is it ensured that every prisoner takes bath as frequently as necessary for better personal hygiene according to climatic conditions	Yes	
	Is it ensured that prisoner washes his clothing at least once a week	Yes	
	If so have you ensured the use of necessary washing materials (soap, washing powder, detergent etc.) has been authorized for both male & female prisoner.	Yes	

	is there a mechanized laundry to wash items of clothing and dedding at the time of return of these items to the clothing store	No	
6.9	Right to clothing		
	The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs	Yes	
	is it ensured that these provisions are being complied with		Cloths are being provided to all the convict prisoner and to those under trial prisoners who require the same
6.10	Right to health and medical care		
	The model prison manual provides this right and the manner of exercrise of this right both the convicts as well as the UTPs	Yes	
	is hospital accomdation available on the scale of 5% of the daily average of the inmate population	No	
	is the location of the hospital sufficiently away from the barracks	Yes	
	are the floors and walls of the hospital of impermeable material	Yes	
	is there arrangement of uninterupted supply of potable water and electricity	Yes	
	is there a hospital kitchen with arrangement for proper upkeep and maintenance	No	

	is it ensured that ailing prisoner who have been admitted to the prison hospital get their diet (including milk) according to approved scales	Yes	
	Are samples being sent to approved laboratories for testing	No	
	if so at what interval &with what finding	NA	
	what preventive and corrective measures have been taken to ensure the water is free from impurities &is potable	Filters system are being used	
7	no. of doctors	01	Part time
	no. of para Medical personnel	02	
	no of beds	08 male +01 female	Not used during the night time
	Availability of medicine adequate/inadequate	Adequate	
	visits by specialists	Yes	
	isolation/segregation of patients suffering from infection diseases	No	
	no. of patients suffering from T.B.	03 Male + 01 Female	
	NO. of patients suffering from HIV/AIDS	04 male + 02 Female	
	Arrangement for detection and prevention of HIV/AIDS		An ICTC centre of M.P state AIDS prevention and control Society , Provides for the registration for follow up & medication
	Are instructions about medical examination of each prisoner on admission of each prisoner on admission being followed	Yes	
	Ambulance service	Yes	

	No. of prisoners suffering from other chronic diseases like heart, cancer , irreversible kidney failure , cardio respiratory, leprosy etc and details of their treatment	Dm-08, HTN-09, TB-04, HIV-06, HEART - 06, Mental-02	
	Drug de-addiction and counseling services	Yes	
8	Mental illness:		
	How many mentally ill persons have been detained in the jail and for what duration	No	
	HOW MANY TIMES THE I.G OF PRISONS HAS VISITED THEM U/S39(1) of mental health	Not applicable	

	ACT87?		
	How many times these persons have been visited by a psychiatrist or where a psychiatrist is not available by a medical officer empowered by the state govt. u/s 39(4) of mental health Act 1987	Once in three months visited by a Psychiatrist. He is not permanently attached	
9	children staying with mothers(convicts)	Not applicable	
	what checks and safeguard are being observed to promote health ,safety, education ,nutrition ,immunization of children in 0-6 group while allowing them to stay with their mothers (convicts) in terms of the direction of the supreme court in R.D. upadhyay Vs. state of Andhra Pradesh & others WP no. 559 of 1994 with criminal appeal no. 69 of 2009 decided on 01/11/2000		

10.	Institutional treatment		
	classification institutional routine educational vocational training and work spiritual development organized recreation		Zari work, Tailoring, caram, chess, Volleyball indoor games.
	Rehabilitation assistance canteen facilities		NO
11	Daily wages prescribed both time rate and piece rate for		YES
	Trainees		100
	semi skilled workers		100
	skilled workers		110
	mean and mode of payment wages	Payments (50 Percent of total earning) are being done to their respective bank account opened by the jail dept.	110 trained& 100 untrained
12	condition of under trials:		
	detention period as on 31.01.2018		
	upto 3 months	180	
	3-6 months	204	
	6-12 months	179	
	1-2 years	136	
	2-3 years	44	
	3-5 years	14	
	about 5years	4	
	Are undertrials kept separate from convicted prisoners	No as the population of UT inmates are more than the convict inmates, it is not practiced	
	No of UTP granted bail but	Data not available	

	unable to seek release because of failure to arrange sureties		
	is there any problem of providing escorts to UTP for court appearance	Local court appearance escorts are available but outside of city & other state escorts are not providing properly	
	Holding of lok Adalats in jail premises	Yes	

13	Custodial death : Annual statement of deaths for last three years	NO		
	Annual statements of escape from the prison/Escorts for the last 3 years	02 undertrial prisoner are escape by police escorts during court passy at bahruch in Gujarat state.		
	Annual statement of death in last 3 years	No		
	Have these deaths been investigated? if so what are the findings & general Observations	No		
	What checks and safeguards have been adopted to prevent suicides of prisoners	yes -jail guards male& female warders watch then day & night, other convicted prisoner also watch their activities.		
14	Women prisoners:			
	Sanctioned capacity	76		
	Actual strength	122		
	Details of staff	12		
	No of children with women prisoners and their age group	07 (under 6 years)		
	are women prisoners kept in separate accommodation	Yes		
	Facilities for special care, education and recreation of young children staying with women prisoners	Some of the education is being provided other than that a special type is being done with the anganwadi , NGO provide additional support		
	General comments on health facilities for women prisoners and children staying with them with (special mention of availability or otherwise of a separate female ward in prison hospital and inoculation programme for the children)	Health programs are held in jail monthly and doctor visits daily		

	Facilities of vocational training for women prisoners	NGO		
	No of women prisoners suffering from T.B and psychiatric problems	01		
15	Basic Amenities			
	Letters (receiving ,despatching,and distribution system feed back by the senior officers and records maintained in this regard ,if any	Yes		
	Whether prisoners rights have been displayed in the prison	Yes		
16	Interviews of the prisoners	YES		
16.1	Interviews of the prisoners by jail/District officials	YES		
	Mean and mode of interview details of redressal of complaints if any	judicial officers monitoring monthly & quarterly. Jail officers also monitor Every Monday & Friday through general parade		
16.2	System of interviews with family members and lawyers	YES		
	what is the procedure which is in vogue for grant of such interviews	Through application process		
	How many such requests on an average are being received	More than 100 per day		
	How many Requests Have Been Turned down & Reasons there of?	Requests are turned down only if the interview rules are not satisfied		
17	last one year by:			
	Judicial authorities	Regularly once a month(CJM) Legal aid society ,DJ		
	Non judicial authorities	COLLECTOR , MLA, ADG JAIL ,DG JAIL		

18	Involvement of NGOs are social activists in prison activities:	Yes		
18.1	Functioning of board of visitors:	YES		
	When was the board of visitors last constituted	C J M Indore AND District legal secretary 31.01.2018		
	What is the frequency of visits of the jail by the BOV	Varies from visitor to visitor		
	Are the observations recorded by	Yes		

	the BOV soon after the visit?			
	What is the current status of compliance with these observations?	Changes are being made in accordance with the observations time to time		
19	General remarks			
	On the functioning of the prison administration ,problems and grievances and suggestions for improvement	Overcrowding of prisoner, new barracks required, staff & officer quarter required, Double wall for security need, Roti maker machine, New kitchen. Lab technician & full time medical officer urgently need.		

Superintendent
District Jail Indore (M P)